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TO: EXAMINER Myriam Pierre

JUL 26 2005

EXAMINER'S TELEPHONE NUMBER 571-272-7611

ART UNIT 2654

SERIAL NO. 09/912,133

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Enclosed: R116 Response + Cover

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The image shows a handwritten signature in black ink, appearing to read "Edward W. Goodman". Below the signature, the name "Edward W. Goodman" is printed in a smaller, standard font.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Atty. Docket
 CHIH-CHAUN YEN ET AL. PHTW 000005
 Serial No.: 09/912,133 Group Art Unit: 2654
 Filed: July 24, 2001 Examiner: M. Pierre
 Title: SYSTEM FOR CONTROLLING AN APPARATUS WITH SPEECH
 COMMANDS

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Enclosed is an amendment in the above-identified application.

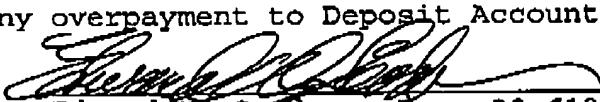
No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED					
	Claims remaining after amendment	Highest number previously paid for	Number extra	Rate	Additional Fee
Total Claims	7 Minus 20 ¹⁼		X \$50 =	\$	
Independent Claims	4 Minus 4 ²⁼		X \$200 =	\$	
Multiple Dependent Claims, if any. If not previously paid, \$360.					\$
Total Additional fee for this amendment =					\$

¹If less than 20, enter 20. ²If less than 3, enter 3.

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Edward W. Goodman, Reg. 28,613
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of

Atty. Docket

CHIH-CHUAN YEN ET AL.

PHTW 000005

SERIAL NO.: 09/912,133

GROUP ART UNIT: 2654

FILED: July 24, 2001

EXAMINER: M. Pierre

SYSTEM FOR CONTROLLING AN APPARATUS WITH SPEECH COMMANDS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE UNDER 37 C.F.R. 1.116

This is in response to the Office Action mailed July 1, 2005, in which the Examiner finally rejected claims 4-10 under 35 U.S.C. 103(a) as being unpatentable over International Patent Application No. WO 95/06309 to Fischer et al. in view of U.S. 5,970,159 to McIntosh, and further in view of U.S. Patent 6,052,665 to Momii et al.

Applicants traverse the above rejection and offer the following explanation.

The Fischer et al. patent discloses a voice operated remote control system based on speech input and addresses a multiple user issue on page 18, lines 15-36. In particular, templates are stored at the remote for each individual user to facilitate speech recognition.

The McIntosh patent discloses a video monitor with shielded microphone in which the microphone is physically integrated within the housing of the video monitor.

The Momii et al. patent discloses a speech input terminal and speech synthesizing terminal for television conference system which adjusts the audio level at the transmitting end in a teleconference system so as to control audio levels at the receiving ends. In particular, Momii et al. discloses further adjusting the audio level at the transmitting side by taking into account the characteristics of the microphone used (col. 2, lines 20-31) :

"When there is provided two or more speech input means such as microphones at a speech input terminal, a selection means (selector) is provided as a third means between these speech input means and the transmission volume adjusting means, and the transmission volume control means is instructed to adjust the speech output of the one speech input means that is selected by the selection means.

"This makes it possible to output a speech signal to other entity terminals after adjusting it to a predetermined transmission level, even if there are other, different transmission levels that depend on the characteristics of the microphones."

The subject invention relates to a system including an apparatus and a remote control for controlling the apparatus. The system comprises a speech processor for processing speech commands, a microphone arranged on the remote control for enabling a user of the remote control to input the speech commands, a further microphone for enabling further users of the system to input speech

commands, and input designation means for enabling the user to selectively designate which of the microphone and the further microphone is to be used as a signal source to the speech processor.

In remarking on Applicants' last Response, the Examiner states "The applicant attempts to traverse claims 4-10, arguing that Fischer et al. neither discloses nor suggests conflict of competing user, let alone at different microphones for speech input, however, as it pertains to claim 4-10, Momii teaches enabling the user to selectively designate which of several microphones is to be used as a signal source to a speech processor (selector or input designator selects microphones, col. 4, lines 28; thus, Momii teaches conflict because the input designator selects microphones to be activated, which avoids the conflict of two microphones being activated simultaneously)."

It is apparent that the Examiner read the first full paragraph on page 3 of Applicants' last Response regarding Fischer et al. However, the Examiner must have missed the following paragraph where Applicants discussed Momii et al. In particular, Momii et al. discloses an embodiment where there are multiple microphones at one entity's terminal. Each of these microphones 1a, 1b, ..., is provided with a switch ((1) and (2) in Fig. 2 therein) indicative of the state of the microphone.

As noted by the Examiner, Momii et al. states, at col. 4, lines 27-28, "A selector 11 (SEL) selectively switches the microphones 1a and 1b,". However, the Examiner needs to read the rest of the sentence in Momii et al., to wit, "and performs such a switching operation in accordance with instruction signals from a control portion 12 (CPU)." Hence, the selector 11 is controlled by the control portion 12 and not by the user. The operation of the control portion 12 is then described at col. 5, lines 16-25:

"When a television conference is started, the control portion (CPU) 12 monitors the state of switches of the microphones 1a and 1b ((1) and (2) in FIG. 2). The switch may be a mechanical speech switch provided at each microphone to enable speech using the same, or an electronic switch activated upon detection of speech input above a certain level using a very weak signal.

"If speech using the microphone 1a or 1b is detected from the above-described switches, the selector 11 (SEL) selects the input from the microphone (e.g., microphone 1a) which has been granted the right to speak ((3) in FIG. 2)."

Applicants submit that in this system, there is no designation means as claimed in, for example, claim 4 of the subject application, where the user (of the remote control) is enabled "to selectively designate which of said microphone and said further microphone is to be used as a signal source to said speech processor". Rather, the selection of Momii et al. is automated and depending upon which microphone is switched on first. This is reminiscent of the television program "Family Feud" in which the first one to press their button is allowed to go first.

Applicants further submit that a person skilled in the art would not find any disclosure, suggestion or incentive in Fischer et al. to consult Momii et al. First of all, Fischer et al. and Momii et al. relate to different technical fields, i.e., remote control by speech input versus a teleconference system with audio level adjustment being carried out at the transmitting side. Secondly, Momii et al. addresses the issue of multiple microphones by selecting the microphone which is first switched on, and then adjusting the transmission level of audio to the characteristics of the microphone being used. If the Fischer et al. and Momii et al. references were combined, the teaching of the combination would probably be having a remote with multiple microphones and selection means to select the microphone that is first switched on.

The Examiner further states "At the time of the invention, it would have been obvious to one of ordinary skill in the art to give priority to a remote control in order for the user of the remote device be mobile and activate the microphone with the remote from various locations".

It is not clear to Applicants what the Examiner is trying to say. The invention of the subject application provides a remote control with a microphone and with designation means for enabling the user of the remote control to selectively designate which of the remote control built-in microphone and the system's further microphone is to be used as a signal source. The issue here is not

using a remote for activating a microphone from various locations, but being able to control which microphone is going to be the signal source in order to resolve a conflict of competing speech inputs to the system.

In views of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims 4-10, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by 
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